



PTO/SB/30 (09-03)

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/523,102
Filing Date	March 10, 2000
First Named Inventor	Erwin Si
Art Unit	1651
Examiner Name	S. Saucier
Attorney Docket Number	13587.286

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 50-2387

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other Please see accompanying transmittal letter.

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Joseph W. Ricigliano	Registration No. (Attorney/Agent)	48,511
Signature	<i>Joseph W. Ricigliano</i>	Date	August 6, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Erwin SI *et al.*

Appl. No.: 09/523,102

Filed: March 10, 2000

For: Methods and Compositions for
Treating and Preventing Retinal
Neovascularization

Art Unit: 1651

Examiner: S. Saucier

Atty. Docket: 13587.286

Confirmation No.: 4492

**Amendment and Response Accompanying a Request for
Continuing Examination**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop RCE

Sir:

In response to the Final Office Action dated March 8, 2004 and the Advisory Action dated June 22, 2004, Applicants submit the attached Request for Continuing Examination (RCE) and the following Comments, Amendments, and Remarks.

Applicants do not believe any fees are due in conjunction with this submission other than those set forth in the accompanying transmittal letter. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. If any fees are required in the present application, including any fees for extensions of time or additional claims, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 13587.286.

INTRODUCTORY COMMENTS

Applicants thank the Examiner for entering the amendment submitted May 26, 2004 after final, and for the indication that the amendment overcomes the rejection under 35 U.S.C. 112 ¶

2. Following entry of the amendment after final, claims 1-42 are pending and being examined on the merits, subject only to rejection under 35 U.S.C. 103(a).